

REMARKS/ARGUMENTS

The rejections presented in the final Office Action dated January 24, 2006 (hereinafter Office Action) have been considered. Claims 1-15 and 24-54 remain pending in the application. Claims 1, 2, 24, 43-45, and 49-51 have been amended. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Claims 43-45 and 49-51 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicant has amended these claims in a manner suggested by the Examiner, which Applicant believes obviates the rejection of claims 43-45 and 49-51 under 35 U.S.C. §112, first paragraph.

Claims 1, 2, 8, 15, 24-31, 47 and 42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,638,268 to *Niazi* (hereinafter "*Niazi*") in view of U.S. Patent No. 6,408,214 to *Williams et al.* (hereinafter "*Williams*"). Claims 3, 4, 32, 33, 46-48 and 52-54 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Niazi* in view of *Williams* as applied to claims 1 and 24, and further in view of U.S. Patent No. 5,409,469 to *Schaerfi* (hereinafter "*Schaerfi*"). Claims 5, 6, 34 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Niazi* in view of *Williams* as applied to claims 1 and 24, and further in view of U.S. Publication No. 2001/0039413 to *Bowe* (hereinafter "*Bowe*"). Claims 7, 9, 10, 36, 38 and 39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Niazi* in view of *Williams* as applied to claims 1 and 24, and further in view of U.S. Patent No. 6,533,770 to *Lepulu et al.* (hereinafter "*Lepulu*"). Claims 11-14, 40 and 41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Niazi* in view of *Williams* as applied to claims 1 and 24. Claims 43-35 and 49-51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Niazi* in view of *Williams* as applied to claims 1 and 24, and further in view of U.S. Patent No. 5,462,527 to *Stevens-Wright et al.* (hereinafter "*Stevens-Wright*").

Applicant has considered the Examiner's Response to Arguments in the final Office Action, wherein the Examiner states that *Niazi* discloses a guide handle (28) that includes a pivotally disposed steering mechanism (29). Although Applicant believes *Niazi* fails to

teach or contemplate Applicant's pivotably disposed steering mechanism, independent claims 1 and 24 have been amended to further describe this feature of Applicant's claims.

In particular, claims 1 and 24 now recite a lever as part of the steering mechanism that is pivotably disposed on the guide handle. As is further recited in amended claims 1 and 24, a pulling force applied to the steering tendon in response to pivoting of the lever adjustably changes a shape of the pre-shaped distal end of the outer sheath. Support for these amendments may be found in Applicant's specification at page 10, line 13 through page 11, line 9 and, in particular, in Figure 3A, for example.

Independent claims 1 and 24, as amended, recite additional features which, in combination with other features of these claims, are neither taught nor suggested by the asserted references. In particular, the pivotably disposed lever of Applicant's amended claims 1 and 24 is clearly not taught or suggest in the asserted combination of references. The asserted art references disclose rotatable torque screws or no steering tendon/mechanism whatsoever. None of the references, however, teach or suggest a steering mechanism that incorporates a pivotably disposed lever. Applicant's pivotably disposed steering mechanism lever, for example, advantageously facilitates single-hand manipulation of the steering mechanism, whereas the rotatable torque screw mechanisms of the asserted references require two-hand manipulation (one hand to rotate the torque screw and the other hand placed on the outer sheath).

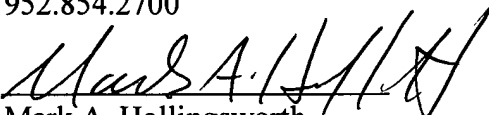
By amending claims 1 and 24, Applicant has elected to further prosecute claims directed to clearly allowable subject matter to expedite allowance of the instant application. It is to be understood that Applicant's election does not constitute acquiescence to the Examiner's rejection of the claims on substantive art grounds. In particular, Applicant does not acquiesce to the Examiner's characterization of the asserted art or Applicant's claimed subject matter, nor of the Examiner's application of the asserted art to Applicant's claimed subject matter. Applicant reserves the right to address the Examiner's characterizations and rejections when prosecuting the rejected claims in one or more continuing applications.

It is believed that pending claims 1-15 and 24-54, as amended, are in condition for allowance and notification to that effect is respectfully requested. Authorization is given to

charge Deposit Account No. 50-3581 (GUID.038US01) any necessary fees for this filing. The Examiner is invited to contact Applicant's Representatives, at the below-listed telephone number, if there are any questions regarding the above new claims or if prosecution of this application may be assisted thereby.

Respectfully submitted,
HOLLINGSWORTH & FUNK, LLC
8009 34th Avenue South, Suite 125
Minneapolis, MN 55425
952.854.2700

Date: 4-24-06

By: 
Mark A. Hollingsworth
Reg. No. 38,491